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12 November 2024

Ivy

By email: foi+request-12107-f1a1b2ef@righttoknow.org.au

Dear Ivy

Freedom of Information request — Request consultation process

Thank you for your correspondence of 1 October 2024, in which you requested access under the *Freedom of Information Act 1982* (FOI Act) to documents held by the National Disability Insurance Agency (NDIA).

Scope of your request

You have requested access to documents responsive to the following scope:

“...like information on the costings and funds regarding the “ Research study: Developing an Evidence Base for Improved Outcomes for People with a Psychosocial Disability” which is being run jointly between NDIA and Sydney University. I would also like to request any information on how Sydney University became involved in this, including any correspondence with names and contact details removed. Additionally, I would like to request information from the NDIA regarding what they want to achieve through this research...”

Preliminary searches

On the basis of the original scope, I initiated a preliminary search on external websites and the NDIS website for the research study using keywords from the title you provided, that being, “*Research study: Developing an Evidence Base for Improved Outcomes for People with a Psychosocial Disability*”. I was unable to find an exact match.

Informal request consultation process

On 30 October 2024, I contacted you as part of an informal request consultation process. Towards clarifying the scope, I requested assistance from you in providing me with the exact title of the research study you have mentioned in your scope. To date, I have not received a response from you.

Practical refusal reason

As a result of my preliminary searches, I am satisfied that the request does not satisfy the requirement in section 15(2)(b) of the FOI Act, which requires an FOI applicant to provide such information concerning the document/s they are seeking access to, to enable the Agency to be able to identify it or them.

I therefore intend to refuse your request on the basis of a 'practical refusal reason' under section 24AA of the FOI Act. A practical refusal reason exists if either (or both) of the following applies:

- a) the work involved in the processing of the request would substantially and unreasonably divert the resources of the Agency from its other operations; and/or
- b) the request does not satisfy the requirement in section 15(2)(b) of the FOI Act, which requires an FOI applicant to provide such information concerning the document/s they are seeking access to, to enable the Agency to be able to identify it or them

In reaching this view, I have taken account

- that thorough searches of the internet and NDIS website using the provided title in your scope, did not produce an exact match.

However, before I make a final decision, I am writing to provide you with an opportunity to revise your request.¹ This is called a 'request consultation process' as set out under section 24AB of the FOI Act.

I am authorised to make this decision under section 23(1) of the FOI Act.

Request consultation process

In circumstances where an Agency is considering a practical refusal, it is required to undertake a request consultation process under section 24AB of the FOI Act. The purpose of this letter is to initiate that process. You now have 14 days to do one of the following:

- withdraw your request;
- make a revised request; or
- indicate that you do not wish to revise the request (in which case the current scope of your request will stand).

If you do not do one of the three things listed above during the consultation period, your request will be processed on the basis of the current scope, and it is likely to be refused on the basis that processing it would represent a substantial and unreasonable diversion of the Agency's resources.

During this period, you are welcome to seek assistance to revise your request. If you revise your request in a way that adequately addresses the practical refusal reason outlined above, we will recommence processing it.

Please note that the time taken to consult with you regarding the scope of your request is not taken into account for the purposes of calculating the timeframe for processing your request.

If you wish to discuss this process, please contact me by email at foi@ndis.gov.au.

¹ Section 24AB of the FOI Act.

If you do not contact me within this period, that is by 26 November 2024, we will provide you a refusal decision on the basis that your request did not satisfy 15(2)(b) of the FOI Act.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Patrick".

Patrick
(PHO293)
Senior Freedom of Information Officer
Complaints Management & FOI Branch
General Counsel Division